

107TH CONGRESS
1ST SESSION

H. R. 3164

To amend titles 10 and 37, United States Code, to repeal the authority of the Secretary of a military department to suspend tracking and recording the number of days that members of the armed forces are deployed for purposes of determining the eligibility of such members for the per diem allowance for lengthy or numerous deployments.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 23, 2001

Mr. MCKINNEY introduced the following bill; which was referred to the
Committee on Armed Services

A BILL

To amend titles 10 and 37, United States Code, to repeal the authority of the Secretary of a military department to suspend tracking and recording the number of days that members of the armed forces are deployed for purposes of determining the eligibility of such members for the per diem allowance for lengthy or numerous deployments.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. RESUMPTION OF TRACKING AND RECORDING**
2 **DEPLOYMENT DAYS OF MEMBERS OF THE**
3 **ARMED FORCES TO DETERMINE ELIGIBILITY**
4 **FOR HIGH DEPLOYMENT PER DIEM ALLOW-**
5 **ANCE.**

6 (a) FINDINGS.—Congress finds the following:

7 (1) A per diem allowance for lengthy or numer-
8 ous deployments was enacted as part of the National
9 Defense Authorization Act for Fiscal Year 2000 to
10 provide an additional \$100 per day to members of
11 the Armed Forces who are deployed more than 400
12 days in two years.

13 (2) Deployment often places members of the
14 Armed Forces in high risk environments, separates
15 the members from their families, and generally in-
16 creases the burdens placed upon the member, includ-
17 ing reduced morale and loss of recreation, commu-
18 nity, and education opportunities. The deployment of
19 members during combat periods further increases
20 the stresses and burdens associated with lengthy or
21 numerous deployments.

22 (3) The per diem allowance was intended to
23 recognize the challenges faced and contributions
24 made by these members of the Armed Forces, while
25 also providing an incentive for the Secretaries of the
26 military departments to reduce the extended deploy-

1 ment of these members and more evenly distribute
2 the deployment of all members.

3 (4) The per diem allowance can provide needed
4 assistance to the family of a member of the Armed
5 Forces who is deployed, such as providing needed
6 funds for child day care and lessening other hard-
7 ships associated with the member's deployment.

8 (5) Through the issuance of Executive Order
9 13223 (66 Fed. Reg. 48201), and an October 8,
10 2001, memorandum from Deputy Secretary of De-
11 fense Paul Wolfowitz to the Secretaries of the mili-
12 tary departments, the availability of the high deploy-
13 ment per diem allowance, and the accumulation of
14 days counted towards the 400 day per two-year eligi-
15 bility requirement for the allowance, was suspended
16 until further notice.

17 (6) Despite the fact that a military pay raise
18 was recently approved, some members of the Armed
19 Forces are still eligible and rely upon food stamps
20 and other Government assistance, and could sub-
21 stantially benefit from the high deployment per diem
22 allowance.

23 (7) More than ever, the members of the Armed
24 Forces who are deployed in support of Operation
25 Enduring Freedom deserve and should receive the

1 high deployment per diem allowance that they earn
2 through their service to the United States.

3 (b) REPEAL OF AUTHORITY TO SUSPEND TRACKING
4 AND RECORDING DEPLOYMENT DAYS.—Section 991 of
5 title 10, United States Code, is amended by striking sub-
6 section (d).

7 (c) REPEAL OF AUTHORITY TO SUSPEND HIGH DE-
8 PLOYMENT PER DIEM.—Section 436 of title 37, United
9 States Code, is amended by striking subsection (f).

10 (d) EFFECTIVE DATE.—The amendments made by
11 this section shall take effect as of October 7, 2001.

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